

1/5/2006

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

ROANOKE CALENDAR -JANUARY 5, 2006

(The Honorable Ross W. Krumm Presiding)

**Hearings by Video Conference**

(Start \_\_\_\_\_ Recess \_\_\_\_\_ / \_\_\_\_\_ Stop \_\_\_\_\_ Trials: \_\_\_\_\_ Proceedings: \_\_\_\_\_)

Attys: Debtors: Case Nos.: Trustees:  
**3:00 P. M. -**

Esposito/  
Copeland GREEN SPRING SPORT CENTER (**Abingdon case**) 04-2727 DIP/S  
Show cause order by UST re Debtor's failure to file monthly operating reports by 9/30  
#189 (note MOR's for Feb - April 2005 filed) cont'd from 11/10 #223

*Note: Plan confirmed by order entered on 10/14 #220*

*(Garber appeared on 11/10 and requested continuance to this date, however, if it needs  
to be heard the matter will be continued to 2/5 with Abingdon video link.)*  
GUZINSKI TO APPEAR AND GIVE STATUS

Beck/  
Pearl P.A. PLYMOUTH 03-03350 DIP/SJ  
AP 05-07114: 454 Recover Money/Property  
Debtor v. American Greetings Corporation ( ) *Amended Summons 11/23*  
Motion to approve compromise filed 12/13 #12(Scott)  
  
AP 05-07122; 454 Recover Money/Property  
Debtor vs Nippon Toys Ltd *Amended summons on 11/15*  
  
AP 05-07124; Recover Money/Property  
Debtor vs Printwrap Corp ( ) *Amended summons on 11/15*  
  
AP 05-07125: Recover Money/Property  
Debtor v. Spiral Paper Canada, Inc. ( ) & Creditor Committee (Hastings/Scott)  
*Amended summons on 12/21 schedules PT on 2/9 @ 3:00PM*  
  
AP 05-07129: 454 Recover Money/Property  
Debtor vs Stephryn Industries, Inc *Amended summons on 11/15*  
  
AP 05-07113; 454 Recover Money/Property (*summons issued 11/15*)  
Debtor (Hastings) vs Alpha-Prime, Inc.

*continued from page #1*

AP 05-7117; 454 Recover Money/Property (*summons issued 11/15*)  
Debtor (Hastings) vs Executive Sounding Board, Inc.

AP 05-7121; 454 Recover Money/Property (*summons issued 11/15*)  
Debtor (Hastings) vs New Generation School and Office Products, Inc.

AP 05-07127; 454 Recover Money/Property  
Debtor v. Design Edge, Inc. ( ) *summons issued 11/23*

AP 05-7128; 454 Recover Money/Property (*summons issued 11/15*)  
Debtor (Hastings) vs Roller Service Corp.

AP 05-7120; 454 Recover Money/Property (*summons deferred*)  
Debtor (Hastings) vs National Starch and Chemical Co.( )  
Motion to approve compromise filed 12/13 (Scott)

AP 05-07118; 454 Recover Money/Property  
Debtor vs Forest City Graphics, Ltd.( )

AP 05-07123; 454 Recover Money/Property  
Debtor vs Overnight Transportation Company ( )  
Answer #11

AP 05-7116; 454 Recover Money/Property  
Debtors vs City of Radford, VA ( )

AP 05-7126; 454 Recover Money/Property  
Debtors vs Xpedx, International Paper Company( )

**1/5 RKR**

Pro Se	PAMELA PAIGE Trustee Motion for Turnover Order #15	05-74079	McLean/LM
Pro Se	BRUCE & DEBBIE KASEY Notice of Hearing on Waiver of Budget & Credit Counseling Due to Exigent Circumstances #9 <i>re-docketed for proper service #11</i>	05-75835	Connelly/AF
<b><i>Case Deficiencies: (1) \$150.00 case filing fee due 11/22/05; (2) Debtors need to sign petition by 12/22/05; and (3) Form 22C, Schedules A-J, etc. due by 12/23/05.</i></b>			
Goldstein	ROBERT & BETH STEWART Motion for Relief with Homecomings Financial Network (Sasser) #9, 10, 11	05-75331	McLean/AF
Janney	GERALDINE AND BRUCE CHITTUM Debtor Motion to Suspend Payments filed 8/17 #24,25 <i>cont'd from 9/7 #26, 27</i> <i>Status hearing on motion to suspend payments scheduled for this date</i>	04-02514	
Janney	AMY HENNE Motion to Redeem: Debtor v. Best Buy #8, 9 ORDER ENTERED 1/5	05-74665	Allen/SL
Pro se	GENERAL CREATIONS, LLC AP 05-07370: 454 (Recover Money/Property) Trustee (Reecher) vs Toys "R" US, Inc.	03-03058	Callahan/LM
Moses	AMY COMPTON A/P 05-07136: 454 (Recovery Money/Property) Trustee vs Debtor and David Helms <i>Order to Show cause (Moses) for failure to appear at the 11/10 P/T hearing #10 and continue the PT on 1/5 @3PM</i> Answer #12 Amended answer #14	04-01384	Krippendorf

**1/5 RKR**

Jamison	DENISE NASCA	04-03807	??/SO
	AP 05-07358: Revoke Discharge - <i>summons issued for 11/10 and reissued for 01/05/06</i> Robert L. Sanders PC v. Debtor <u>Response by defendant (Jamison) #6</u>		
Andrew	CLAUDE & SUE CHITWOOD	05-75741	Connelly/JJ
	Motion for Relief with GMAC (Eason) #12, 13, 14, 15, 16		
M Hart	UNA DRUMMOND	03-04233	Connelly/AF
	Motion of Trustee to dismiss case; # 26 ( <i>continued from 11/10</i> )		
M Hart	ROBERT & CATHLEEN SMITH	05-70030	Connelly/AF
	Motion for Relief with Wells Fargo Bank c/o Option One Mortgage Corp (Bierman) #20, 21, 22, 23 <u>Answer by debtor #24</u>		
M Hart	SUZANNE MULLINS	05-73530	Allen/AF
	Motion for Relief with Singer Asset Finance Co LLC (Edwards) #11, 13, 15, 17		
M Hart	PAULA BEAMER	03-04850	???/SJONES
	AP 05-07374: Obj/Revocation Discharge 727 UST (Garber) v. Debtor Certificate of Service by plaintiff #5		
Palmer	THOMAS & WANDA HICKS	05-75824	Connelly/SJohn
	Notice of Credit Counseling Waived-Exigent Circumstances #7		
Palmer	ANA SMITH	05-73180	Connelly/GR
	Motion for Co-Debtor Stay with Member One FCU (J. Patterson) 36, 38 <i>absent objection(s); self-executing</i>		
Palmer	PHILLIP & JUDITH BAILEY	05-71908	Connelly/SO
	Affidavit of Breach by Washington Mutual Bank FA (T. Stewart) #49 <i>re: Order Entered 8/12/05 Denying Motion for Relief #21 with Conditions #35</i> Declaration and Notice of Secured Creditors Rights to Commence Foreclosure Proceedings #50 <b>Obj:</b> by Debtors #51, 52 <u>Answer #57</u> ORDER IN CM ORDERS?? 1/4/2006		

**1/5 RKR**

Palmer	THOMAS & MARY CALES Debtors' Motion to Stay (Reimpose) #83, 84, 85, 86	03-00579	Connelly/LM
Palmer	EARL & ROBIN HARTMAN 1 <sup>st</sup> Amended Plan #30, 31 Trustee Report and Show cause #20 <b>OBJ:</b> VA Dept of Taxation #23 (Miner)  Objection to Claim #7 of HSBC Bank of Nevada (\$1,533.01) #29 <i>w/cert of service</i>  CONTINUANCE ORDER IN CM ORDERS 1/5	05-71856	Connelly/SJones
Shelor	RONALD BYRD Debtor Motion to Vacate Order Dismissing Case #14, 15	05-75362	Allen/SL
Shelor	RICHARD & SHIRLEY CHILDRESS Motion for Relief w/Wells Fargo Bank Minnesota NA (Jaffe) #25, 26, 27, 28 <u>Answer</u> by debtors #29	05-71902	Connelly/JM
Shelor	RONALD ROGERS Motion for Relief with Chase Manhattan Mortgage Chase Home Finance LLC (S. Wood) #18, 19,20, 22 <u>Answer</u> by debtor #21	05-73506	Connelly/JM
Janney	DAVID & DEBORAH HARVEY AP 05-07376: Obj/Revocation Discharge 727 UST v. Debtor Cert of Serv by plaintiff #3 <u>Answer by defendant #4</u>	03-04591	??/NS
P. Brown	TIMOTHY & PAMELA GREIGG Plan #11, <i>with cert of service</i> Trustee Report and Show Cause #16 <i>All matters cont'd from 11/16 #22</i>  Debtor Motion to Approve Sale Free and Clear of Lien #18	05-72979	Connelly/LM

**1/5 RKR**

Janney	DONALD & ROZETA KIRBY AP 05-07380: Dischargeability Debtos v. IRS	05-72892	Vogel/NS
Shrader	MICHAEL BAME Debtor's Motion to Impose Automatic Stay #108 <b>CONSENT ORDER TO BE SUBMITTED PER SHRADER 1/4</b>	04-01206	Connelly/JM
Shankman	TAMMY CARTER Motion for Relief with First Citizens Bank (Zimm) #12, 13, 14, 15, 16, 17	05-75106	Allen/JM
Shankman	TERESA NUCKOLS Trustee Objection to Homestead Exemptions #7, 8	05-74441	McLean/JJ
M. Giles	ANDRE & MARY FIESCHEL UST Motion to Extend Issuance of Discharge (Guzinski) #10, 11, 12	05-72870	Vogel/LM
M. Giles	CHRISTOPHER & GINA CARTER Motion for Relief with Mortgage Electronic Registration Systems, Inc. its successors and assigns as nominee for Household Finance (Sasser) #8, 9, 13,	05-74244	Goldstein/JJ
T. Giles	MICHAEL & CHERI CARROLL Motion for Relief w/Midland Mortgage Company (Jaffe) #42, 43, 44, 45 Response #47	00-04181	Connelly/GR
T. Giles	HERBERT & PATRICIA WORNER Trustee Objection to Homestead Exemption #21	05-74344	McLean/JJ
M Giles	JOHN DAVID SMITH Amended Plan ( <i>post confirmation</i> ) #64,65 Trustee Motion to Dismiss or convert case #66 <i>cont from 12/13</i> <i>Continued from 12/14; hearing not necessary if debtor current</i>  CONFIRMATION ORDER ENTERED 1/5	04-74468	Connelly/SL

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Jernigan	ARNOLD & OSHA CREGAR Motion for Relief with MERS c/o Countrywide Home Loans, Inc. (Bierman) #12, 13, 14	05-75595	Vogel/NS
Goldstein	CORY CONSTRUCTION, INC. Motion for Relief with Hardy Credit Co (Sasser) #9, 10, 11, 12, 13 <u>Answer</u> by trustee #18  Motion for Relief with Caterpillar Financial Services( C. Jones) #19,21,22, 24	05-74813	Allen/SO
Goldstein	LANCASTER HOMES, INC. Motion for Relief ( <i>Alabama Court, Daleville, VA</i> ) with Hardy Credit Co (Sasser) #8, 9, 10, 14, 16  Motion for Relief ( <i>Chester Drive, Roanoke, VA</i> ) with Hardy Credit Co (Sasser) #11, 12, 13, 15, 17,	05-74821	Allen/SJohnson
P Brown	MICHAEL & RHONDA WILLIAMS Motion for Relief with SunTrust Bank (Zimm) #18, 19, 20, 21, 22, 23	05-75019	Goldstein/VS
P. Brown	TIMOTHY & TONYA DRAPER Motion to Extend Time to File Amended Plan #45 <i>due 12/5</i>  1 <sup>st</sup> Amended Plan #46, 47 <i>filed 12/6</i>	05-71300	Connelly/JM
P Brown	JOSEPH AND BRANDI DECKER Plan filed 7/29 #10 with cert of service #11 Trustee Report and Show Cause #12 ( <i>all continued from 12/14</i> )  CONFIRMATION ORDER IN CM ORDERS	05-72688	Connelly/GR
Delafield	RICHARD SHUPE Plan #2 Trustee Report and Show Cause #9 ( <i>all continued from 12/14 #21</i> ) Valuation: Suntrust Bank #12, 13	05-74100	Connelly/JM
Bowman	TRINDA REDMOND Order to Appear and Show Cause (attorney for debtor) for failure to submit order continuing confirmation and objections by 11/21/05 #84	04-01166	Connelly/SL

**1/5 RKR**

Krippendorf	MICHAEL LIVINGSTON	04-03134	Connelly/AF
	Motion for Relief with Chase Home Finance LLC Successor by Merger to Chase Manhattan Mortgage Corporation (Sasser) #63, 64, 65 Response filed 12/14 #67		
Krippendorf	ANGELA FLEISHER	05-73412	Connelly/SO
	Plan #16; conf ntc #6 <b>OBJ:</b> by Option One Mortgage #39 <i>re: 25 Wood Lane, Troutville, VA -2<sup>nd</sup> Lien</i> (Bierman) Trustee Report and Show cause #20 ( <i>continued from 12/14</i> )		
	Motion for Relief from Stay and Co-Debtor Stay with Option One Mortgage/Wells Fargo (Bierman) #33, 34, 35 Response #36		
Krippendorf	ALAN & SUSAN RING	05-75408	McLean/SO
	Motion for Relief with Chase Home Finance LLC (T. Stewart) #12, 13, 14, 15 Response #17		
Krippendorf	LINDA RHODES	05-74829	Connelly/SJohn
	Motion for Relief with Citifinancial Mortgage Company, Inc. (Zimm) #13, 14, 15, 16 Response #17		
Lowman	JAMES & TAMMY MONROE	05-74159	Creasy/SJones
	Motion for Relief w/America's Servicing Company (Sasser) #13, 14, 15		
M Giles	JOHN D ROTHERT ( <i>continued P/T conference</i> )	04-1498	Creasy/NS
	AP 05-7010: Recover Money/Property - <i>contd from 4/7 &amp; 7/5</i> Roy V. Creasy, Trustee (Maxwell) v. debtor & Debra K. Foltz ( <i>continued from 9/29</i> ) <i>Ord ent 3/23 approves Raymond Beebee pro hac vice for defendant Debra Foltz</i> <b>COMPROMISE/SETTLEMENT UNDER CONSIDERATION-AGREEMENT AND MOTION TO BE TENDERED W/IN 15 DAYS</b>		
P Brown	JOYCE BRADFORD	03-02843	Connelly/JJ
	Trustee Motion to Dismiss Case filed 8/1 #38,39 <b>OBJ:</b> #42		

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P. Brown	JULIE HAMPTON Amended Plan #55, 56,60 Trustee Motion to Dismiss or Convert case #52 <i>cont from 9/6</i> <b>Amended plan #69, 70 set 2/15 @9:00</b>	03-04752	Connelly/SJ
Shelor	RICHARD AND SANDRA COLLINS Affidavit of Breach #62 by Washington Mutual Bank to Order on Motion for Relief #49 (Stewart) <b>OBJ:</b> by Debtor #63 ( <i>continued from 12/8</i> )	04-00126	Connelly/VS
Gillis	WILLIE AND LANSING ALEXANDER Motion to Dismiss Case for Substantial Abuse 707(b) #9 by UST(Cosby) <i>Cont from 11/10</i> <i>Order continuing hearing from 12/08 #26 due to service issue</i>	05-72078	Krippendorf/LM
Gillis	OAKLEY RICHARDSON Order to Appear and Show cause (A Gillis) failure to file pleading via court's electronic filing system #8 ( <i>continued from 12/8</i> )	05-74995	Goldstein/NS
Gillis	MARY HILL Order to Appear and Show cause (A Gillis) failure to file pleadings via court's electronic filing system <i>cont'd from 11/10 #11</i>	05-74990	Goldstein/NS
Gillis	BILLY JOE AND KAY MEADOWS Order to Appear and Show cause (A Gillis) failure to use file pleading via court's electronic filing system. #5	05-74998	Goldstein/NS
Gillis	WILLIAM AND PAMELA BARTON Show Cause for failure to submit documents by Court's ECF filing system ( <i>cont from 12/8</i> )	05-74996	Goldstein/NS
M. Giles	RITA BROWN BURKES Motion for Relief with Beneficial Mortgage Co. Of VA (Zimm) #21 <u>Response</u> by debtor #26 ( <i>continued from 12/8</i> )	05-70670	Connelly/LM
<b>1/5 RKR</b> Goldstein	AMANDA JONES	05-74992	McLean/NS

Motion for Relief #9 filed by Deutsche Bank Nat'l Trust Co with Motion and Order to extend the Stay (Stewart) 12,14 (*continued from 12/8*)

Krippendorf	LAKEISHA JONES	05-73244	Connelly/JJ
	Plan #10 with cert of serv		
	Trustee Report and Show Cause #13		
	Supplemental Trustee Report and Show Cause #18 <i>all matters cont'd from 11/16 #20</i>		

CONFIRMATION ORDER IN CM ORDERS

Shelor	CHARLES AND GINIA KING	05-72981	Connelly/GR
	Motion for Relief #29 filed on 12/16 by HSBC Mortgage(Sasser)		
	<u>Answer</u> by debtor #32		

Shankman	BRIAN STEPHENS	05-75086	Allen/GR
	Motion for Relief #7 by Washington Mutual Bank(Bierman)		
	Response #12		

Hileman	TIMOTHY AND JESSICA RIDDLE	05-75256	Connelly/SJ
	Motion for Relief #15 by Citifinancial Auto Corp.(Higgs)		

M Giles	RALPH HUBBLE	04-74392	Connelly/NS
	Motion for Relief #27 by Select Portfolio Servicing(Hildebeidel)		
	<u>Response</u> #31		

P. Brown	CLIFFORD RICHARDSON	02-04533	Connelly/AF
	Motion to suspend plan payments #35		

Palmer	SAMUEL AND TONYA SNUFFER	04-00142	Connelly/JJ
	Motion to Vacate #88 <i>order granting relief entered 12/5 #86</i>		
	<i>Re: Motion for Relief #45 by Chase Manhattan Mortgage</i>		
	<u>Answer</u> #89 (Stewart)		
	Amended Answer #90 (Stewart)		

**1/5 RKR**

Delafield	H.E.P. ENTERPRISES, INC. Motion for Relief by James Robert Custer ( R. Hart) #8, 9, 10, 11, 12, 13 <u>Answer #25</u>	05-75836	DIP/AF
Shelor	STEPHEN AND MARGIE FERGUSON Motion for Relief filed by Citizens Auto Finance(Fogleman) on 12/6 #19,20,21,22 <u>Answer #27</u>	05-75324	Allen/S
M. Giles	WANDA MOSER Motion for Relief filed by GMAC Mortgage Corp(Epps) on 12/19 #7,8, 9, 10, <u>Response #11</u>	05-73716	Vogel/VS
Beck	CLYDE SHAW & DORIS LEDERER - <b><i>CALL LAST</i></b> AP 05-07371: Dischargeability David Ehrlich (Maxwell) v. Debtors <u>Motion to Dismiss For Failure to State a Claim Upon Which Relief Can Be Granted by Defendant (Beck) #4, 5</u>	05-73410	McLean/SO